

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38979 of 2018

Arising Out of PS. Case No.-454 Year-2017 Thana- DANAPUR District- Patna

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Gopal Kumar @ Gopal Prasad S/o Late Jay Dayal Rai, R/o Mohalla- Bhikna
Pahari, Near Saidpur, Kachahri Gali, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kashyap, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody
since 15.07.2017 in connection with Danapur P.S. Case No.
454 of 2017 registered for the offence punishable under
Sections 399 and 402 of the Indian Penal Code and
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case, as lodged by the
informant-police personnel, is that on secret information
that some persons are going to commit dacoity, they
apprehended three persons, who revealed that five of their
accomplice were carrying weapons. Thereafter, the police
went to the place and apprehended five other persons,
including the petitioner. On search, from the possession of



the petitioner, one country made loaded pistol with one live cartridge was recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and some of the co-accused on similar and more serious allegations have been granted the privilege of bail by coordinate Benches of this Court, one of them being Cr. Misc. No. 15486 of 2018 vide order dated 20.03.2018.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and one more case of loot is pending against him.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Danapur in connection with Danapur P.S. Case No. 454 of 2017, subject to the condition that one of the bailors would be close relative of



the petitioner having sufficient immovable properties, who
will file an affidavit stating his relationship with the
petitioner.

(Nilu Agrawal, J.)

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